

United States District Court
Eastern District of Virginia
Richmond Division

Plaintiff Adam Stemmons

3030 Bensley rd.

N chesterfield/ Bensley, VA

23237

804-912-7908

Case number# 3:14cv00688

V.

Defendants

1st Dona volcheck 2ed Cindy Warso, RN 3ed Dr. April M Beasley-Irving

100 Park St., 100 Park St., 100 Park St.,

Glens Falls, Glens Falls, Glens Falls,

NY 12801, NY 12801, NY 12801,

4th Dianne Shugrue 5th Donna Kirker 6th David A. Alloy, Ph.D.

100 Park St 100 Park St 100 Park St

Glens Falls, Glens Falls, Glens Falls,

NY 12801, NY 12801, NY 12801,

7th William Valenza

Glens Falls City Hall,

42 Ridge Street, 3rd Floor,

Glens Falls, NY 12801

8th Robert Ash

Glens Falls City Hall,

42 Ridge Street, 3rd Floor,

Glens Falls, NY 12801

9th Michelle Arnold

Glens Falls City Hall,

42 Ridge Street, 3rd Floor,

Glens Falls, NY 12801

10th Christopher Eggleston

Glens Falls City Hall,

42 Ridge Street, 3rd Floor,

Glens Falls, NY 12801

11th Kathleen B. Hogan

Warren County District Attorney's Office

1340 State Route 9

Lake George, NY 12845

12th Matthew Burin

Warren County District Attorney's Office

1340 State Route 9

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13th Jason M. Carusone

Warren County District Attorney's Office

1340 State Route 9

Lake George, NY 12845

14th William Holmes

Glens Falls City Hall,

42 Ridge Street, ~~3rd Floor~~,

Glens Falls, NY 12801

15th Zach Flewelling

24 Harlem st

Glens falls NY 12801/

Glens Falls City Hall,

42 Ridge Street, ~~3rd Floor~~,

Glens Falls, NY 12801

16th James Fiorini

Glens Falls City Hall,

42 Ridge Street, ~~3rd Floor~~,

Glens Falls, NY 12801
Ci

15th Richard Tarantino
Glens Falls City Court,
Glens Falls City Hall,
42 Ridge Street, 3rd Floor,
Glens Falls, NY 12801

Court jurisdiction

The US district courts have full coverage over any us constitutional violations and federal law violations which are the basis for the complaints set forth in this case. The Richmond division can hear this case based on the simple facts that Mr. Stemmons has very little money to travel. Mr. Stemmons also has a ton of anxiety which is clear about being in the State of New York. Mr. Stemmons is a resident of Virginia. A large part of the cover ups mention in the following complaints have still gone on. A number of documents still have not been given to Mr. Stemmons. A large part of what is mentioned in the relief "seen at end of this compliant" is still going on such as pain and suffering, medical bills and not being able to work. Mr. Stemmons Mr. Stemmons went to Zack Flewelling in his capacity as a national guard's man and a higher rank William Valenza the local chief of police. The by granting the way for 28 U.S. Code § 1391 - Venue generally section E.

Allegations

Mr. Stemmons had his Constitutional rights violated along with his rights under sever different federal laws in many different ways. Which includes the fallowing that he is suing for. ; The us constitution; 14th amendment, 4th amendment, 5th amendment, 6th

amendment and the 8th amendment. This also falls under Intentional tort. The case at hand is one that falls under 28 U.S. CODE § 1332 - DIVERSITY OF CITIZENSHIP

1. Mr. Stemmons was charged with assaulting a nurse which he has sense day one argued he was the one assaulted. He has made his version of the story public and there was no investigation into the matter. There was a full blown cover up by the defendants. This was a clear violation of his right to not be charged with false charges. By not investigating the matter his right too due process was violated.
2. Mr. Stemmons did plead guilty but was informed that there was a way to come back when more evidence comes in and that he needs to plead guilty Just because. Mr. Stemmons was basically forced into pleading guilty. By not fallowing his rights from the get go in not doing an investigation he was too a point being Forced into pleading guilty. By his Public Defender attorney telling him to plead guilty he was being forced. By the attorney's both not waiting until a state department of health investigation was finished they were basically forcing him into pleading guilty.
3. Mr. Stemmons after such so called assault was tied to a bed with both his legs along with both of his feet tied to the top of the bed railings so his limbs where above his heart. He was in this condition for over 48hr. This was clearly torture and a violation against his basic rights as an American. This has been made known to all and it was part of the cover up mentioned in issue 1.
4. The officer who took Mr. Stemmons into custody is not the one who took the complaint and is not mention on any police report on the incident. The officer who

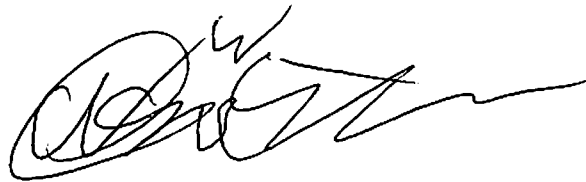
took Him into custody has stated he cannot state that he believes there should have been a charge in the first place.

5. Mr. Stemmons left the Hospital with a foot injury which is what started the issues as he was never treated. The belief now is that he was having a major gout attack. He never got the injury treated even though he asked for it. When he left the hospital the officer asked about it and Mr. Stemmons stated he did not trust them too treat it as they had been refusing.
6. The state of New York does indeed have a law in which a citizen may go back to the state court when new info has come up. Mr. Stemmons did indeed go back to the court and was threaten with a false charge by the judge if he came back. There was no hearing or written or verbal rulings on the matter. Mr. Stemmons filed a 440.10 motion with the court. He also made a mistake when filing at first he then filed the case in the right way. He believed being that the first attempts were filed wrong they did not count. Mr. Stemmons took every step to report the judge. He went to the head judge for the area. He filled the complaint to the state board. He got nowhere. Due too there being no investigation into the matter and what the judge did this too is a violation of federal Laws and the constitution.
7. Mr. Stemmons went to Zach flewelling because he was getting nowhere with the chief of police and knew of Mr. Flewellings Staff sergeant Status that is over the chief of polices sergeant status with the National Guard. Mr. Stemmons knows that Mr. Flewelling knew about the issues as early as a month after the incident on June 29th 2010 and did nothing. Mr. Stemmons is area that he indeed know of the incident during his capacity as an armed service member.

The primary complaint is the cover up of the constitutional violations that accord during the full prosecution, investigation process, and the violations that happened right after the event but mainly the ones still going on to this day along with the ones that have happened in the last one to three years. The state of New York has its 440.20 criminal procedure law which gives one the right to have their conviction or guilty plea over torn if evidence proves that a violation accord. With mr. stemmons being threaten if he flies it again, he clearly is not being given his right to due process of the law or equal treatment of the under the 14th amendment this violation is happening every day therefore statue of limitations has not run out. The primary act that has been violated is 42 U.S.C. § 1983 : US Code Section 1983; Civil action for deprivation of rights, see attachment A "A first draft chapter of my bio on this matter". 9. The secondary complaint is the cover up of the events of the day of 6/29/2010 which includes the cover up of the fact they do not do DNR's on the local BHU which is a strong violation of Rogers vs Okin among sever well know case laws and federal laws. This could be heard on the DVD. Along with the fact they did not get a medical doctor or allow me to go to the ER. Lastly the hospital still has not given me my medical records.10. All parties know about the issues at hand and this will be proven by witnesses along with other forms of evidence.

Mr. Stemmons is seeking 250'000 two hundred and fifty thousand dollars in damages from each defendant. This is to cover pain and suffering and medical bills for treatment of ptsd which was affected by this event and anxiety which is directly from this event. This is to also cover cost of the investigation for this case along with

not being able to work. This has been written in a mainly third party manor by me
the Plaintiff Adam Wayne Edwin Stemmons.

 10/9/2014

Adam Stemmons

3030 Bensley

N Chesterfield

23237

809 912 7908

804 231 4284